



**THE ATTORNEY GENERAL  
OF TEXAS**

**JIM MATTOX  
ATTORNEY GENERAL**

February 24, 1988

Honorable Ken Armbrister  
Texas State Senate  
P. O. Box 12068  
Austin, Texas 78711

LO-88-21

Dear Senator Armbrister:

Thank you for your letter of January 7. You ask whether a county appraisal district may pay bonuses to its employees. Article III, section 53, of the Texas Constitution, provides:

The Legislature shall have no power to grant, or to authorize any county or municipal authority to grant, any extra compensation, fee or allowance to a public officer, agent, servant or contractor, after service has been rendered, or a contract has been entered into, and performed in whole or in part; nor pay, nor authorize the payment of, any claim created against any county or municipality of the State, under any agreement or contract, made without authority of law.

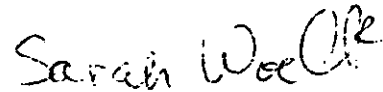
The prohibition in article III, section 53, on extra compensation clearly encompasses bonuses. Attorney General Opinion MW-68 (1979). Also, the phrase "municipality" in that provision has been interpreted broadly to include school districts. Harlingen Independent School District v. C.H. Page & Bro., 48 S.W.2d 983, 986 (Tex. Comm. App. 1932, opinion adopted). See also Attorney General Opinion O-4140 (1941) (art. III, §53, applies to Harris County Navigation District). We think that a court would hold that the prohibitions set out in article III, section 53, also apply to a county appraisal district.

Also, I note that you requested a formal opinion. Please be advised that although legislative committees

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are authorized requestors, individual legislators are not. Gov't Code §§ 402.041 through 402.045. The practice of this office is to accept a request from the chairman of a legislative committee as a request from the committee.

Very truly yours,

A handwritten signature in cursive script that reads "Sarah Woelk". The signature is written in dark ink and is positioned above the typed name.

Sarah Woelk  
Assistant Attorney General  
Opinion Committee

SW/bc

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